Attorney's Docket 082137-0280704 Client Reference: DJDA421003

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation Number: 1853

DANIEL DJAKIEW

Application No.: 10/071,648

Group Art Unit: 1632

Filed: February 11, 2002

Examiner: Priebe, S.D.

For: METHODS FOR THE TREATMENT AND DIAGNOSIS OF PROSTATE CANCER

BASED ON P75NTR TUMOR SUPPRESSION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### AMENDMENT/RESPONSE TRANSMITTAL

Transmitted herewith is an amendment/response for this application.

### **EXTENSION OF TIME**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for a 1 month extension of time under 37 C.F.R. 1.136.

#### **FEES**

The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR			R	ATE		ADDIT. FEE	
TOTAL			nedi retin	х	\$	9.00	=	\$	
INDEP.		_	=	x	\$	43.00	=	\$	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM + \$ 145								\$	0.00
TOTAL ADDITIONAL CLAIM FEE									
EXTENSION OF TIME FEE									55,00
GRAND TOTAL								\$	55.00

## **FEE PAYMENT**

Authorization is hereby made to charge the amount of \$55.00 to Deposit Account No. 033975. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: December Al. 2003
PILLSBURY WINTHROP LLP
P.O. Box 10500
McLean, VA 22102
(703) 905-2144

Tromas A/ Cawley, Jr., Ph.D. Reg. No. 40944

12/30/2003 HMARZI1 00000087 033975 10071648

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1632 +

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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#### C mpl t if Kn wn FEE TRANSMITTAL Application Number 10/071,648 February 11, 2002 Filing Date DANIEL DJAKIEW First Named Inventor Effective 10/01/2003. Patent fees are subject to annual revision. Examiner Name X Applicant claims small entity status. See 37 CFR 1.27 Art Unit 1632 TOTAL AMOUNT OF PAYMENT (\$) 55.00 082137-0280704 Attorney Docket No

METH	FEE CALCULATION (continued)						
Check	3. ADDITIONAL FEES Large Entity, Small Entity						
X Deposit Account:							
Deposit	022075	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Account Number	033975	1051	130	2051	65	Surcharge - late filing fee or oath	
Deposit Account	PILLSBURY WINTHROP LLP	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Name The Director is authorized to: (check all that apply)			130	1053		Non-English specification	
X Charge fee(s) indicated below X Credit any overpayments			2,520	1812	•	For filing a request for ex parte reexamination	
Charge any additional fee(s) or any underpayment of fee(s)			9201	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filling fee to the above-identified deposit account.			1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
to the above-ic	FEE CALCULATION	1251	110	2251	55	Extension for reply within first month	55.00
1. BASIC F		1252	420	2252	210	Extension for reply within second month	
Large Entity		1253	950	2253	475	Extension for reply within third month	
Fee Fee	Fee Fee Fee Description Fee Paid	1254	1,480	2254	740	Extension for reply within fourth month	
Code (\$) 1001 770	Code (\$) 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month	
1002 340	2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal	
1003 530	2003 265 Plant filing fee	1402	330	2402	165	Filing brief in support of an appeal	
1004 770	2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing	
1005 160	2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
	SUBTOTAL (1) (\$) 0.00	1452	110	2452	55	Petition to revive - unavoidable	
			1,330	2453	665	Petition to revive - unintentional	
2. EXTRA	CLAIM FEES FOR UTILITY AND REISSUE	1501	1,330	2501	665	Utility issue fee (or reissue)	
	Extra Claims below Fee Paid	1502	480	2502	240	Design issue fee	
Total Claims Independent	-20** = X =	1503	640	2503	320	Plant issue fee	
Claims Multiple Depe	- 3** =   X   =   =	1460	130	1460	130	Petitions to the Commissioner	
Miditible Debe	indent =	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Large Entity Fee Fee	Small Entity   Fee Fee Fee Description	1806	180	1806		Submission of Information Disclosure Stmt	
Code (\$)	Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 18 1201 86	2202 9 Claims in excess of 20 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1203 290	2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1204 86	2204 43 **Reissue independent claims over original patent	1801	770	2801	385	Request for Continued Examination (RCE)	
1205 18	2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	Request for expedited examination of a design application	
	Other	r fee (sp	ecify) _				
SUBTOTAL (2) (\$) 0.00 **or number previously paid, if greater; For Reissues, see above			uced by	Basic	Filing F	Fee Paid SUBTOTAL (3) (\$)	55.00
3, 110,110	- processory party in ground, if or morodood, doo above						

Submitted by

Name (Printl Type)

Signature

(Complete (if applicable)

Registration No. (Attomey/Agent)

Registration No. (Attomey/Agent)

703) 905-2144

Date December 22, 2003

- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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In re PATENT APPLICATION OF

Confirmation No.: 1853

Djakiew et al.

Group Art Unit: 1632

Appln. No.: 10/071,648

Examiner: Priebe, S. D.

Filed: February 11, 2002

Title: Methods for the Treatment and Diagnosis of Prostate Cancer Based on p75NTR Tumor

Suppression

December 22, 2003

# RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is in response to a restriction requirement dated October 22, 2003, wherein the examiner alleged that pending claims 1-34 were directed to patentably distinct species of the claimed invention and required restriction. Reconsideration is requested in view of the following remarks.